VOL. VIII.—NO. 2371. NEW-YORK, TUESDAY, APRIL 26, 1859. PRICE TWO CENTS.

The New-York Times.

Published daily and weekly at Nos. 41 and 43 Park-row, Corner of Nassau-st., New-York City, U. S. A.

FROM THE PACIFIC COAST.

ARRIVAL OF THE ST. LOUIS.

Extraordinary Passage from California.

Four Days Later from Europe.

Arrival of the City of Washington.

The Steamer Hermann Ashore.

Declarations from Vienna and Berlin.

Another French Declaration to the Swiss Cantons.

MARSEILLES PREPARATIONS FOR WAR.

Movements of Troops.

HEAVY FALLING OFF IN CANADA.

DEATH OF ALEXIS DE TOCQUEVILLE.

Cotton Fallen—Breadstuffs Dull—Consols 96 3-4.

The screw steamship City of Washington, Capt. Pearse, sailed from Liverpool at four o'clock, April 13, for the accommodation of the mail, and arrived here at 9 P. M. yesterday afternoon.

The screw steamship Arctic, from New York, arrived at Liverpool at 2 P. M. on Sunday, the 10th of April.

The steamship Persia, which sailed from Liverpool for this port on the 13th, had not arrived at Queenstown at 6 P. M. on the 14th.

The screw steamer Hermann, from New York, arrived at Bremen on the 12th.

The screw steamer Bavaria, from Hamburg, arrived at Southampton on the 12th.

The screw steamer Hammonia, from New York, arrived at Hamburg on the 12th.

The screw steamer Germania, from New York, arrived at Cuxhaven on the 12th.

The screw steamer Borussia, from New York, arrived at Hamburg on the 12th.

The screw steamer Humboldt, from New York, arrived at Bremen on the 12th.

The screw steamer Washington, from New York, arrived at Bremen on the 12th.

The screw steamer Franconia, from New York, arrived at Hamburg on the 12th.

The screw steamer Teutonia, from New York, arrived at Hamburg on the 12th.

The screw steamer Saxonia, from New York, arrived at Hamburg on the 12th.

The screw steamer Bremen, from New York, arrived at Bremen on the 12th.

The screw steamer Hansa, from New York, arrived at Bremen on the 12th.

The screw steamer Arctic, from New York, arrived at Liverpool on the 10

DRY GOODS.

REMNANT TRADE NOTICE.
IMPORTANT
50
SEVENTY DRY-GOODS MERCHANTS
IN THE UNION.
DH FORREST, ARMSTRONG & CO.
Are now receiving their Spring Importations, and are
exhibiting at their
SALESROOMS,
NOS. 89 AND 89 CHAMBERS-ST., N. Y.
DOMESTIC AND FOREIGN GOODS
PURCHASED FOR CASH
Will be sold at the lowest prices.
Buyers are invited to call at the Salesrooms, as they
will find it to their interest to do so.

DRY GOODS.

AN IMPORTANT NOTICE.
MANTILLAS!
MANTILLAS! MANTILLAS!
AT THE
GREAT MANTILLA EMPORIUM,
NO. 361 BROADWAY,
Between Franklin and Leonard-sts.
Ladies can find at this establishment the largest and most
complete assortment of Mantillas, Shawls, Dress Goods,
Suits, Cloaks, Hosiery, Gloves, Underwear, Corsets, Ribbons,
Laces, Embroideries, Handkerchiefs, Parasols, Sunshades,
Fans, Jewelry, Notions, &c., &c., &c., ever offered in this
city, and at prices which defy competition.
Remember the number,
NO. 361 BROADWAY,
Between Franklin and Leonard-sts.

300 PIECES OF
FRENCH BLACK CRAPES
OF SUPERIOR QUALITY
AT 75 CENTS PER YARD.
Also 200 pieces Fine
PLAIN ALPACAS,
At 12½ cents per yard.
Also 50 pieces Fine
BLACK CASHMERES,
At 50 cents per yard.
Also 100 pieces Fine
BLACK CASHMERES,
At 75 cents per yard.
Also 100 pieces Fine
BLACK CASHMERES,
At 87½ cents per yard.
Also 100 pieces Fine
BLACK CASHMERES,
At $1 per yard.
Also 100 pieces Fine
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SITUATIONS WANTED.

MALES.

WANTED—SITUATIONS BY A RESPECTABLE Protestant man and his wife. The man is a first-rate coachman, understands the care and management of horses, and his wife can cook and manage well. Good city reference can be given. Inquire at 25 Bond-st.

WANTED—A SITUATION BY A GERMAN COOK, who speaks English well. Can be seen at No. 113 Mercer-st., second floor.

WANTED—A SITUATION, BY AN EXPERIENCED middle-aged man, as porter in a wholesale or retail store. Call at No. 113 Mercer-st., second floor.

WANTED—BY A RESPECTABLE WOMAN, A SITUATION to do plain cooking, washing and ironing. Can be seen for two days at No. 20 Cedar-st., basement.

WANTED—A SITUATION AS COACHMAN BY A young man of steady habits; can drive a pair of horses; has no objection to make himself generally useful. Apply at No. 33 Bond-st

The New-York Times.

NEW-YORK, TUESDAY, APRIL 26, 1859.

THE NEW-YORK TIMES.

The NEW-YORK TIMES (Daily) is published every morning—Price Two Cents—or 12½c cents a week—or SIX DOLLARS a year.

The NEW-YORK TIMES (Semi-Weekly)—Terms Dollars a year (two copies to one address, for FIVE DOLLARS)

The NEW-YORK TIMES (Weekly)—Two DOLLARS a year, (two copies to one address for THREE DOLLARS. Any person sending us a Club of twenty or more will be entitled to an extra copy.

Terms—Cash invariably in advance.

All letters to be addressed to the "NEW-YORK TIMES," New-York City.

Amusements this Evening.

NIBLO'S GARDEN—ACTORS AND ACTRESSES.

LAURA KEENE'S THEATER—A MIDSUMMER NIGHT'S DREAM.

BROADWAY THEATER—ROMEO AND JULIET—FOUR COLORED NIGGERS.

WALLACK'S THEATER—DON CESAR DE BAZAN—HOW AND WHY.

THEATRE FRANÇAIS—LA FILLE DE FAMILLE—L'INTERIEUR D'UN VASE—UN TIGRE DU BENGALE.

BOWERY THEATER—OTHELLO—PAUL—WOMAN CREDITA.

NATIONAL THEATER—O'NOLAN'S VOW—A HUSBAND AT SIXES—PAUL CLIFFORD.

BARNUM'S AMERICAN MUSEUM—OUR IRISH COUSINS.

WOOD'S MINSTRELS—SAMUEL HOUSE'S MISSISSIPPI—THE SEASIDE LOVERS.

Mails Close at the Post-Office.

[Table illegible]

The Overland Mail for California leaves St. Louis every Monday, and Thursday, at 9 A. M. Letters designed for it should be marked "Overland, via St. Louis."

The Overland Mails from St. Joseph, (Mo.,) to Placerville, and Salt Lake City, leave St. Joseph every Saturday, at 9 A. M. Letters should be marked "Overland via St. Joseph."

Ocean Mails.

The European Mails by the steamship Europa, leaves for Liverpool, will close at the New-York Post-office, to-morrow, April 27, at 11½ o'clock.

The Sickles Case.

We have received from our Special Reporter at Washington verbatim reports of the speeches of Mr. CARLISLE for the prosecution, and Mr. STANTON, for the defence, of Mr. SICKLES. They reached us at too late an hour last night for publication in this morning's TIMES,—but we *shall give them in full to-morrow morning.* We shall receive, also, a full report of Mr. BRADY's argument, of Mr. OTIS's reply, and of the charge or instructions of Judge CRAWFORD. If they reach us in season, they will also be given to-morrow; if not, they will be published in the TIMES of Thursday. These speeches are all very long—that of Mr. STANTON alone filling *ninety* foolscap pages of manuscript;—but their ability and the importance of the case, not only on account of the issues directly involved, but also of the principles and precedents which the decision will establish, warrant their publication in full. The telegraphic reports have been, of necessity, condensed and comparatively meagre.

NEWS OF THE DAY.

The screw-steamship *City of Washington*, from Liverpool on the afternoon of April 13, arrived here yesterday. The intelligence she brings, although four days later than that by the *Arabia*, is not decisive of the War question. On the 9th the utmost consternation prevailed in the London Stock market, owing to the uniformly discouraging aspect of accounts respecting the War question; a panic which was greatly augmented by a telegraphic announcement in the evening papers, that Austria had actually declared war upon Sardinia. This news proved erroneous by Monday, and gave place to an unauthorized elation, which was heightened by an announcement of a semi-official paper at Paris, the *Pays*, that Austria had so modified her preliminary demands, as to render the Congress possible. Subsequently, paragraphs from semi-official organs at Vienna and Berlin were telegraphed countenancing the same story, were received again operating in the interest of the Bulls, and elevating quotations of Consols. But as the only modification appears to be, that, instead of Sardinia alone disarming, Austria and France should do the same, we are left without the slightest reason to anticipate a suspension of the war movement. The preparations for actual hostilities were proceeding at even an accelerated rapidity when the steamer sailed. The general news by this arrival is of secondary interest. The proceedings of Parliament embraced no traits of importance. The members were busied with appeals to their constituencies, and in endeavoring to extract from ministers some fortification of the period fixed upon for a dissolution. From France we have an announcement of the death of that eminent publicist, ALEXIS DE TOCQUEVILLE.

The United States Mail Steamer *St. Louis* arrived at this port last evening, with dates from San Francisco to April 6, and later intelligence from the Isthmus and South America. The trip through from San Francisco is represented as unusually rapid, having been accomplished in 20 days and 9 hours.

The *St. Louis* brings $1,723,000 in specie from California. The dates from San Francisco by this arrival are to April 5th, seven days later than the advices received by the Overland Mail. The news from the Pacific is unimportant. The principal item is a report of a disaster in San Francisco Bay: four lives having been lost on the 2d of April, by the explosion of the steamer *Contra Costa*. The markets were glutted, and business was dull.

Our advices from Central America contain notices of an abortive attempt at revolution in Salvador; of a general amnesty in Nicaragua, and of the completion and ratification of the English, Sardinian and American treaties. The Senate of Nicaragua still withholds its assent to the land grants in the Belly contract. The news from the other Central American States is devoid of interest.

Letters from South America announce the destruction of the City of Quito, the capital of Ecuador, by an earthquake. The event occurred on the morning of the 23d of March. The churches, convents, and Government buildings are most of them thrown down, besides many private residences. The houses not thrown down are so injured as not to be habitable. The damage is estimated at $3,000,000. The deaths are reported at five thousand, but this we believe to be greatly exaggerated. A number of small towns to the north of the capital have also been destroyed, and in Guayaquil the shock was felt severely and did some damage.

The revolutionary movements in Chili were still indecisive. An action had been fought at Coquimbo resulting in favor of the insurgents.

The news from New-Granada possesses no feature of interest. At the date of our latest advices from Bogota, April 13, the National Congress was about to adjourn. Its proceedings had embraced no measures of striking importance.

From Japan, news to Dec. 31 reaches us by way of San Francisco. It furnishes us with the names and antecedents of the two Ambassadors, who, with their suites, are to proceed to the United States to ratify the latest Treaty. Cholera has been making frightful ravages in the northern part of the Empire.

We have Turk's Island papers to April 2; they contain no news. The weather was favorable for salt-making; there had been a slight improvement in the demand, but no change in price.

Yesterday, in the Sickles case, the whole day was occupied by Mr. BRADY in his argument in favor of the points of instruction submitted by the defence. It is thought possible that the case may go to the jury to-day, though it may be considered hardly probable.

The counsel for the Oberlin rescuers has applied to the Supreme Court of Ohio for a writ of *habeas corpus* to take the prisoners from the custody of the United States Marshal. The Court enjoined the Marshal to appear last Saturday to show cause why the writ should not issue. The trial of Mr. LANGSTON is progressing at Cleveland. Mr. BUSHNELL, the convicted prisoner, has been remanded into the custody of the Marshal. The excitement over the trials is increasing throughout Ohio.

The yacht *Wanderer* sailed from Savannah on the 21st April for Havana, with Mr. LAMAR, her owner, on board. She is to be offered for sale in Havana, but if a purchaser cannot be found, she will be brought to New-York.

The Rev. Mr. VAN LENNEP, American Missionary in Asia Minor, writes to his friends in Hartford, Conn., that the Mission premises at Tocat were totally destroyed by fire on the 6th of March. Mr. VAN LENNEP's wife and children were saved.

A telegraphic dispatch announces another terrible steamboat disaster on the Mississippi. The *St. Nicholas* is reported to have burst her boiler near Helena, Ark., causing the loss of seventy-five lives.

Judge WRIGHT, of Albany, yesterday granted the stay of execution applied for in behalf of Mrs. MARY HARTUNG, pending proceedings on a writ of error in her behalf.

At the meeting of the Board of Aldermen, last evening, $1,000 was appropriated to defray the expenses incurred by the Committee appointed to proceed to Albany and oppose the obnoxious legislation with regard to this City. A communication was received from the Comptroller setting forth the confusion in the City accounts which existed when he entered upon the duties of his office, and the measures taken by him to set them right. It was directed that 1,000 copies be printed. A communication from the Mayor, urging the necessity of advertising for a contract for removing night-soil from the City, was referred.

The Board of Supervisors yesterday directed that several bills of little amount be paid, and referred to the Committee on Criminal Courts and Police a communication from the Police Commissioners, urging the propriety of procuring a small steam propeller for the Harbor Police.

In the Court of Oyer and Terminer, yesterday the trial of the alleged murderers of WILLIAM DRAUSIN, at No. 31 Elm-st. on the 15th of January, was resumed. JOHN GLASS it will be remembered, was tried for this crime last week, and convicted of manslaughter in the first Degree. The whole party, consisting of five persons, having demanded separate trials, JAMES HIGGINS was placed at the bar yesterday. The evidence was identical with that given in the case of GLASS, the same witnesses being examined. The verdict also was the same, manslaughter in the first degree. The sentences in all the cases tried during this term in this Court will be pronounced on Saturday.

Yesterday 1,300 bales Cotton changed hands at previous quotations. Flour, Wheat and Corn were depressed. Pork was in lively demand, at, however, irregular rates. Lard and Beef were more freely purchased, and were very firm. Coffee and Molasses were inactive, as were also Naval Stores, Fish, Oils, Rice and Tallow. Linseed Oil was in request at buoyant prices. Sugars were more sought after, and the sales amounted to 980 hhds. Cuba, at 5½c. in bond, and 6c.@6¾c. free; 62 hhds. New-Orleans, part at 6¼c.@7c.; and by auction, 271 hhds. do., at 6¼c.@6¾c. ₱ lb. Whisky was inquired for, at 25½c. ₱ gallon. The Freight engagements were moderate, at essentially unaltered rates.

The War Question in Europe.

The rumor that Austria had actually declared war against Sardinia, which reached London just before the sailing of the *City of Washington*, although promptly discredited, was yet held to foreshadow the rapidly approaching event of the European imbroglio. Even the most obstinately prejudiced of the English journals were forced to admit that their new-found *protegé*, the Emperor FRANCIS JOSEPH, was driving matters rather madly forward, and that the Emperor NAPOLEON had been holding his position with singular calmness, dignity and moderation ever since the opening of negotiations for a Congress. In point of fact, it will be found when the history of this great epoch of cotemporary diplomacy shall come to be fairly written out, that from the first Austria has played the part of aggressor alike upon France, Sardinia and the public law of Europe. The language of the French Emperor on the 1st of January, which has been foolishly misrepresented by the English press, as the opening scene in the new drama, was in truth but the consequence of the policy pursued by Austria ever since her failure to detach France from England, in the Autumn of 1856. Convinced that she had nothing in this direction to hope for, Austria soon turned her attention to England, and has labored steadily for two years to sow distrust of France and hostility to NAPOLEON III., in the English mind. She had succeeded beyond her dreams, thanks to favorable and fortuitous circumstances, when her career was suddenly interrupted by the decisive attitude of France in the opening of the present year. The House of Hapsburg can no longer be allowed to advance in its career of insidious conquests. It can no longer be suffered to affect the protectorate of European treaties and public law in the South of Europe, or to hoodwink liberal Europe into acquiescing in its policy of overawing Germany and absorbing Italy. Had no antagonist more intelligent or more determined than Great Britain confronted the Austrian Emperor in his path, a very few years would have sufficed to make the Italian Peninsula an integral part of the new Holy Roman Empire, and to reduce Prussia to the position of a secondary State. It is because he has resolutely undertaken to arrest this march of events, and to defend the lesser nationalities of Central and Southern Europe from the Austrian advance, that NAPOLEON III., in his present position, commands the sympathies, and enlists the hearty good-will of the American people. Our English cousins are beginning to express now, as they expressed in the Crimean war, their amazement and vexation over the un-English tone of the American Press and nation. But the American people have never learned to recognize in any English Government what they gladly find in the popular heart of England—a cordial, *timely and practical* sympathy with the progressive and liberal ideas of history. When England unfurled her banner against the pretensions of the Czar, it was less the liberator of Turkey than the mistress of India that the American people saw in the armed Britannia. We rejoiced in the heroic gallantry of her troops, we hailed her victories as the triumphs of a kindred race. But we never put any vital faith in the spirit of her policy, and the event has justified our skepticism. On the contrary, much as we disliked the autocracy of NICHOLAS, we felt and feel that, as between Russia and Turkey, our sympathies belonged to Russia.

We have never seen England as a Power interfere to defend the weak in their right, against the strong in their tyranny. We have seen her leave Hungary at the mercy of the oppressor. We have seen her betray Italy again and again to ruin. It is, therefore, but natural that we should refuse her our moral support in her attempts to thwart the resolutions of the first great potentate who has really taken up the question of Italy with the air of a man who means to bring that question to an issue. Throughout the early stages of the impending *imbroglio*, the feeling of America in favor of Italy and the Emperor of the French has steadily gathered strength. We can afford to smile at the senseless notion that Europe is endangered by the armaments of France—Europe, which for forty years has bowed the knee before the armed phantom of the Holy Alliance! It would now appear that Austria is fast putting herself so openly into the wrong that even England must, for very shame, renounce the attempt to gild her cause with the false pretence of loyalty and law. She is pressing upon Sardinia. Behind Sardinia frown the bayonets of France. In the distance impends the avenging wrath of Russia. The collision, which may already have taken place, will bring into the field, with the legions of NAPOLEON, the good-will, the earnest, emphatic good-will, approbation and sympathy of all who respect International law, and the sacred name of *national Independence*, throughout the world.

Capital Punishment for Women.

Pardon us for expressing astonishment at the view taken by you in regard to the case of HARTUNG in these of your paper. In standing to the firmness of the Governor in refusing to commute MARY HARTUNG's sentence, you appear to neglect to consider the subject further, and while for a milliner paragraph, which remark was followed by a wish that "the capital punishment of women might be abolished, and a law passed in this State to that effect." God forbid it! With the tale still ringing in our ears of the murder in this City of a mistress by her servant, by that most diabolical of all means—poison—we repeat, God forbid it! While the human heart is so corrupt—and we remember its Maker made no distinction in the sexes when He said, "Thou shalt not kill"—who will be wiser than He, and say that one-half of the human race may break that commandment with impunity? Should "delicacy and consideration be shown to the sex?" Certainly—while they are women; but when they shake off their sex and become fiends—never. Crime knows no sex—neither should its punishment. Human life is none too safe now; but if every enraged woman might wreak her vengeance on the object of her jealousy—if every insubordinate servant might poison her mistress, to whom she takes a dislike—if wicked men might make tools of weak women to carry out their revengeful designs, knowing that they would escape punishment—who would be safe? Do you say, "Capital punishment is too harsh for the sex?" Then let them avoid the crimes that lead to it, and have the protection of their sex. Let are "a terror to evil doers, and a praise to them that do well."

A WOMAN.

We are not sure that we do our correspondent a favor by publishing her communication,—but at all events we comply with her request. As she finds it necessary to misrepresent the views of the TIMES, in order to make out her case, it is scarcely worth while to enter into any argument upon the subject. Few of our readers need be told, we trust, that the TIMES has never suggested that women should be allowed to commit murder "with impunity," or that "insubordinate servant girls" should be permitted to "poison their mistresses, knowing that they would escape punishment." These strong statements are little tricks of rhetoric by which "A Woman," would know, if she were a little more familiar with logic, any controversialist loses a good deal more than he gains.

Our correspondent is mistaken in supposing that a woman *ceases* to be a woman the moment she commits a crime. It is all very well to call her "a fiend,"—it sounds virtuous, and all that;—but if would be just as sensible to say that a man ceases to be a man under the same circumstances, and should therefore be treated like a brute or tortured like a devil. Precisely the same differences, mental, moral and physical, exist between men and women when they are criminals as when they are not; and if it is ever proper and decent to recognize those distinctions—if women are ever to be treated with greater delicacy and a more respectful regard for appearances on account of their sex—justice, decency and self-respect alike require that it should be extended to them in meting out punishments for crime as well as at other times.

Now all we have said on this subject is that *women should not be hung*,—that this style of punishment, horrid, ghastly and revolting under all circumstances, is too ghastly and too horrid to be thought of when the victim is a woman,—and that society will consult its own self-respect, and do something to preserve that feeling of regard for womanhood, without which it degenerates into coarse brutality, by substituting some mode of punishment for women less horrible and less revolting.

A FORCED INTERPRETATION.—The Philadelphia *North American* argues that the Derby Ministry obviously disbelieves in the imminence of war, or they would not have dissolved Parliament, "thus disarming themselves in a great crisis approached." Reflection would probably have suggested to our contemporary that the course adopted by the Ministers authorizes an entirely opposite construction. Constitutional precedents gave them no alternative but either to dissolve Parliament or resign office. The latter horn of the dilemma would have left the country without a *Government*, and, in the present disjointed condition of the Opposition, with but a slight chance of obtaining one for some weeks. The former retained in office a Government still conducting negotiations it had instituted for the maintenance of peace; and ready for any turn affairs were likely to take. If the election they have made is, therefore, in any sense prophetic, it augurs war rather than peace. We suspect, however, the foreign topic had nothing to do with it.

A CASE OF REAL DISTRESS.—We tender our heartfelt sympathies to the *Evening Post*, and kindred journals, which have been rejoicing in the prospect of a woman's execution. Mrs. HARTUNG is not to be hung to-morrow. The vision with which these Journalists have been solacing their souls, fades away into the uncertain future. Next to the defeat of a Republican Candidate for School trustee, in some interior village of Wisconsin, no more heart-rending misfortune could possibly have overtaken our Rhadamanthine contemporary. Judge WRIGHT of the Supreme Court has granted a stay of proceedings until a writ of error can be prepared and argued. The *Post* must wait.

The Central Park.

A clear and very satisfactory sketch of the Central Park, as it is and as it is to be, has just been issued in the form of a pamphlet entitled, "A Guide to the Central Park," by Messrs. A. O. MOORE & Co., of Fulton-street. In this little work, written by "An Officer of the Park," New-Yorkers may learn that our noble metropolis is at least to have a public pleasure-ground worthy of its rank among the cities of the world, and adequate to the wants of its vast population. The Central Park comprises an area larger than the combined areas of St. James', the Green Park, Hyde Park and Kensington Garden, in London; and under the skillful superintendence of Mr. OLMSTED, its peculiarities of position and soil have been proved to be natural advantages rather than the disadvantages they were at first supposed to be. The rolling soil is not too rocky for the requirements of the Park in the way of roads and walks, and the entire absence of pine trees has left the architect at liberty to construct his plans with a simple reference to its ultimate unities of effect. "The New-York of the next century," we are told, "will have occasion to rejoice over what now seems an objection to the site of the Central Park." The execution of the plan adopted for the Park by the Commissioners fairly began June 1, 1858, since which time about 3,500 men and 400 horses, besides a large force of engineers, foremen, &c., have been steadily at work. At the rate of the past year the Park will probably be completed, except in the items of final ornamentation, by the Autumn of 1860; while the roads and walks of that portion lying between Fifty-ninth and Eighty-sixth streets will probably be completed and thrown open to the public during the current year. The "Ramble," a space of forty acres, about as large as the famous Common over which Boston keeps up such a constant cackle, is now ready for public use, and augurs well, by the beauty of its design, for the general future effect of the whole Park.

The *Guide to the Park* gives some useful directions to visitors who wish to enjoy the pleasure of seeing how efficiently the admirable project of this Park is now carrying out, and points out the best ways of reaching the Park, either on horseback, on foot, or by the City railways. If the Park had no other value, it would be of immense service to the community, as an almost isolated evidence that a really great public work can be undertaken and carried out with spirit, economy and success, even in New-York, when the control of it is *committed to energetic men, utterly free* from party views and political objects.

THE SICKLES TRAGEDY.

Trial of Daniel E. Sickles for the Murder of Philip Barton Key.

NINETEENTH DAY'S PROCEEDINGS.

Argument of James T. Brady, Esq.

Special Dispatch to the New-York Times.

WASHINGTON, Monday, April 25.

The Sickles case will no doubt be submitted to the jury to-morrow, as in the arguments on his instructions prayed for, both sides have presented the case to the jury. Mr. STANTON's argument on Saturday is the theme of universal praise, while Mr. BRADY to-day fully met the public expectation.

[FROM OUR REPORTER FOR THE ASSOCIATED PRESS.]

WASHINGTON, Monday, April 25.

The court-room was crowded this morning to its utmost capacity, for fully a quarter of an hour before Judge CRAWFORD took his seat, and a large number of persons besieged the doors, seeking vainly for admittance.

Among the spectators to-day are Gen. Churchill, U. S. A., and Milton Whitney, District-Attorney for Baltimore.

As Mr. SICKLES entered and moved towards the dock, he was warmly greeted by many of his personal friends.

Mr. BRADY proceeded to argue the instructions on behalf of the defence. He was quite sure his Honor would extend to him during his argument he was about to make, the same polite attention which he had hitherto received, and which he was delighted to acknowledge. He should endeavor to confine himself cautiously to the proper discharge of the particular duty devolved upon him. He felt and his client felt the great importance of endeavoring to convince his Honor's judgment of the propriety of the prayers which they asked his Honor to instruct the Jury. He would not go over the same ground as his learned associate (STANTON,) had gone over, but would confine himself to those matters which his associate had slightly passed over. There was a great difference of opinion between the counsel for the defence and the counsel for the prosecution, as to the principles on which this case rested, and the counsel for the prosecution (Carlisle,) was in error in saying that the instructions asked for by the defence were purely of an abstract character. The prosecution had commenced by showing a case which might be termed assassination, and which showed, in none of its aspects, mitigation or alleviation. The District-Attorney had represented the prisoner as a walking magazine, an animated battery going out from his house on the morning of the homicide determined to turn all his engines of destruction against Mr. KEY. He is represented as having shot Mr. KEY to be unarmed, and as having given the deceased no opportunity of defending himself, but in a cowardly manner shot him down. That statement, however, was utterly unsustained by the evidence adduced for the prosecution. Every man would have been surprised if the evidence had been allowed to stop there, showing only the mortal meeting of those two men, who had been hitherto fast friends. If the case had stopped there, would not the whole world say that in such a case there must have been either insanity or justification. While the prosecution thus pretended this case in the opening the counsel for the defence had suggested that their defence rested on two grounds. He had seen in the newspaper criticisms that the defence had the two theories were inconsistent, that if the facts were justifiable the defence of insanity should not have been set up. The defence, however, held that if the act was not held in law to be justifiable they should have the benefit of the defence of insanity. These views had elicited the defences of justification, of homicide in consequence of provocation, and of insanity, and it was in reference to these three defences that the requests had been prepared. He must here take issue with the prosecution in reference to what the jury were to do. He had put an inquiry on that point to the District-Attorney some days ago, but he had not heard a satisfactory answer since. That which he esteemed to be the ablest ruling on that point was to be found in the case of the State vs. Croteau, vol. 23, Vermont Reports, p. 14, where this rule is laid down. This power of a jury is doubtless liable to abuse, and so is the power conferred on a Court, or on any other human tribunal. But while a jury or court keep within their proper sphere of jurisdiction, they are in the exercise of the powers conferred on them, and are in the performance of a legal right, and this, though they may, by the abuse of the power, be guilty of a moral wrong. The extent of the jurisdiction of a court or jury is measured by what they may or may not decide with legal effect and not by the correctness or error of their decision. Thus the learned Jeffreys, by virtue of his office as Judge, had the political power, and consequently the legal right to empanel the trial of Algernon Sidney, and to give his opinion upon the law of the case in his charge to the jury, though for his shameful abuse of the right he may have incurred the deepest moral condemnation. So the jury in a criminal trial have the legal right to decide the law as well as the fact involved in the issue; but this does not give them a right, by a wanton disregard of law, to decide arbitrarily. The counsel also referred to a ruling of Chief Justice SHAW, delivered in the Supreme Court of Massachusetts. He did not wish, in the present state of the case, to refer to those authorities for any other purpose than to show that they were consistent with the spirit of his Honor's *ruling on various occasions. The counsel referred* to Judge Crawford's ruling in the Herbert case. If he could believe that the view of the counsel for the prosecution were correct, proud as he was of having been born in this land, proud as he felt in her great destinies, he would rather live under the worst despotism on the face of the earth, or vainly believe, continued the counsel, that next to the integrity of the Judiciary, which I hope will always continue, as it has done in the past, to adorn our national character, next to that is the importance of preserving the trial by jury, especially in criminal cases, intact. I do not recognize in the Declaration of American Independence, in the statement of all the abuses that led to the revolt of the American Colonies, anything set up as the occasion for the war of the Revolution that compares in importance with the right of trial by jury as it now exists in this land, and much as I abhor the shedding of blood, and cowardly as I might be found when the moment of danger approached, I would be willing to lay down my life, and wade to my feet in the blood of the foe to prevent that palladium of liberty from being invaded for one moment.

Turning our attention now to that Sunday morning, and to that point of contact, let us see who the parties to it were. Each was in the rank of gentleman, each a lawyer, each a man in public office. Looking at the relations that had existed between them as perfectly established in this case, we find that they had been close personal friends; we find that Mr. Sickles had to the best of his capacity urged the appointment or retaining in office of Mr. Key; that Mr. Sickles was desirous he should continue to discharge the duties of District-Attorney; we find that Mr. Sickles had recommended clients to him; had employed him as his own counsel, and had given him free access to his house in the exercise of that hospitality prevailing in this District, to which my associate (Mr. STANTON) has so ably referred, and to which before I go away, perhaps never to return—I, as a stranger, want to bear cheerful and heartfelt testimony. In view of all these facts there is no man in the District, possessed of any intellect, who, knowing anything of the antecedents of Mr. Key and Mr. Sickles, could have supposed that Mr. Sickles walked out of his house that Sabbath morning, left his home and his wife, and that darling blossom of his heart—that child who has been polluted by the touch of the adulterer—could have walked out of his house in the light of day, under the blessed sunlight, and in the face of Heaven, and committed an assassination on the person of his friend. Therefore your Honor asks, the jury asks, and the country asks, what did this thing was? The whole world, your Honor, has its eye on this case, and although there may seem to be egotism involved in the remark which I make, I cannot help saying, because I am here in the discharge of my duty, that, when all of us shall have passed away, and when each shall have taken his chamber in the silent halls of death, and while some of us would have been totally forgotten, but for this unfortunate incident, the name of every one associated with this trial, from your Honor who presides in the first position of dignity to the humblest witness that was called on the stand, will endure so long as the earth shall exist. The whole world, I say, is watching the course of these proceedings and the nature of the judgment; and I believe I know what kind of a pulsation stirs the heart of the world—I think I know, if the earth could be resolved into an animate creature, could have a heart, and a soul, and a tongue, how it would rise up in the infinity of space and pronounce its judgment on the features of this transaction. Now, with these two gentlemen thus coming together, with the fact before us that the District-Attorney (Mr. Key) had been consulted as counsel for Mr. Sickles in relation to the very house which Mr. Sickles occupied at the time when Mr. Key was one of his most cherished guests, I will be permitted, in favor of the instructions, to which I will presently refer, to put before your Honor a very brief outline as to the undisputed facts in regard to the meeting of Mr. Sickles and Mr. Key. I will by sufficient testimony endeavor to daguerreotype the event precisely as it occurred. These gentlemen are brought into contact; a loud conversation occurs which no witness undertakes to give: after a loud conversation there is heard what may be a scuffle between these parties, so that to Mr. McCormick's eyes it was a street fight, and he could imagine it to be nothing else; in the course of the encounter Mr. Sickles drew a pistol and fired a certain number of shots, which took effect; at what time this occurred, in what position Mr. Key was left, is a matter of dissension and doubt. The testimony of the prosecution is conflicting. The result was that Mr. Key received his death-wound, and was taken to the Club-house, and, shortly after, there were found near the spot, an opera-glass, which belonged to him, and a Derringer pistol. To whom did this pistol belong, and who used it in this encounter? No witness pretends that it was in the possession of Mr. Sickles; he had nothing but a revolving pistol. There is no statement, hint or instruction from any witness that he had any other weapon. The conclusion that he had is entirely excluded by the proof. I ask who owned the Derringer pistol? You remember what proofs we proposed to give about Key's being prepared for any emergency. In view of the facts of that collision, that pistol belonged to Key, and was found by him in that encounter. This is made consistent, although the personal friends of Key have been around this table, watching the result of this trial, (pointing Mr. JAMES, with steadfast and searching interest;) not one has asked whether witness was brought here to say whether Key had such a pistol with him. Why was not Mr. Secretary of the Diplomatic affairs, who handed his clothes, was asked by his friends or associates, or permitted to state, whether this pistol belonged to Key?

Mr. Brady then read the first, second and third instructions heretofore presented by the defence.

First—There is no presumption of malice in this case, if any proof of a alleviation, excuse or justification arise out of the evidence for the prosecution. (State vs. John, vol. 8 Jones, p. 330; McDaniel vs. State, vol. 8 Smedes and Marshalls, p. 401; Day's case, 17 of pamphlet.)

Second—The existence of malice is not presumable in this case, if on any rational theory, consistent with all the evidence the homicide was either justifiable or excusable, or an act of manslaughter—(Same cases as above cited; United States vs. Mingo, vol. 2, Curtis C. C. R. 1; Commonwealth vs. York, Vol. 2 Bennett & Heard, Leading Criminal Cas., p. 838.)

Third—If, on the whole evidence presented by the prosecution, there is any rational hypothesis consistent with the conclusion that the homicide was justifiable or excusable, the defendant cannot be convicted. He cited the United States vs. Mingo, 2d Curtis' Circuit Court Reports; Mingo, said Johnson, the deceased, had carved or heard the name Dix, on its way from Apalachicola to Boston; the defendant was a Hayitian negro, and the deceased a colored man from Baltimore; Johnson was armed with a hatchet and Mingo with a knife; Johnson received three slight expressions of anger and ill-feeling before the struggle were heard, as to which party made the attack; at what time of the affray either armed himself, and what were the words used, the testimony of nine witnesses who saw the affray, was contradictory. In this case a revolver was in the hands of Mr. Sickles, and a Derringer in those of Mr. Key, and there was no mortal to gainsay it. A number of witnesses have been examined for the prosecution here. There no one gave the origin of the transaction. Mingo gave Johnson three stabs. Mr. Sickles fired three shots, although but one was mortal. Am I not right in saying on moral, in view of the Derringer pistol, before what were the words or the provocation at the moment of collision, and what was in fact the position of the parties. Did not Mr. Sickles accuse him of having dishonored his house, and may not Mr. Key have replied, "I have, and you can make the best of it," and this reply may have been accompanied by profanity—by drawing an opera-glass for one purpose and the Derringer for another. Who can say anything I have stated is inconsistent with the testimony adduced? I only ask to put the case on the ground it was placed by Mr. STANTON, who has so adorned it by his eloquent powers.

We stand on the law of God, on the law of man, on justice, irrespective of the question of insanity. Before entering more particularly into this justification, let me say that my learned friends produced the bullet found in the person of Mr. Key, and which produced the mortal wound. When the bullet was produced I supposed it would fit the Derringer pistol, and, therefore, an effort was made to connect Mr. Sickles with that—but unfortunately the bullet would not fit the Derringer pistol. The bullet which killed Mr. Key came out of the revolver. What then became of the bullet from the Derringer, which was found to be exploded. Mr. Brady then referred to the charge of Judge Curtis, in the case recited against Mingo, the Court holding it was incumbent on the Government to prove felonious killing, and if on the whole evidence the Government failed to satisfy the jury that the act was felonious beyond a reasonable doubt, there must be a verdict of not guilty. But I do not think, Mr. Brady said, that the Government has proved, as required, a "case of murder beyond all reasonable doubt." If that case was more confused than this, I am not able to perceive it. I never saw Mr. Key but once, and did not see his face then, but whatever else might be said about him, none of his friends, or anybody who knew him, would say that he would not to a proper case, under rightful provocation, fight, and I suppose he would stand in the same category as described in the case I have just read, which says: "Both parties came to the field, carry loaded and set out; both being excited and ready for fight armed themselves simultaneously; both fought, and Johnson was killed;" the jury, in view of all the facts, acquitted Mingo.

Mr. Brady referred to the Judge's ruling in the case of Day, saying he had made these remarks to show that the prayer of defence was not an abstract proposition; not an hypothesis of which there is no proof to warrant. If so, your Honor could not listen to it a moment. It is the fact that four shots were fired in this case, and, from the evidence as it stands, only three were fired from the pistol of Mr. Sickles. As to the fourth shot, I am not called on to say or know who fired it; but I am permitted to say that that Derringer pistol belonged to Mr. Key, and the evidence shows that it was used in this encounter. There is one circumstance the most conclusive in the world. The gentlemen who came from the Club-House understood this thing as I do, that there was no reason for making against Mr. Sickles any accusation. The Club-House was the resort of Mr. Key. His friends were there in numbers, at the time in question. When it was ascertained that Mr. Key was lying near the door in a dying condition, those personal friends, gentlemen of character, no doubt, of courage, and feeling alive to the importance of self-defence, came to the house, did not interfere to prevent Mr. Sickles from firing. They heard from Mr. Sickles the remark: "He has defiled my bed," or "dishonored my house," and allowed him to pass away entirely unmolested—no one crying "Shame," or "Murder," or some calling an officer, or attempting to arrest him. A jury, made up of Mr. Key's friends, might say he might walk free as any citizen; no one to stay his steps. The fifth prayer, as presented by the defence is, if in the jury to determine, under the circumstances of the case, whether the act charged upon Mr. Sickles is murder, or justifiable homicide. When we prepared the instructions, we supposed we had conformed to your Honor's ruling in previous cases. In this connection I remark, in passing, that the case of RYAN is an authority directly in point, that it is for the jury, on all the evidence as to the heedless slaying of alleged adulterer with his wife, to pass whether it is murder or manslaughter. We drew these instructions on that. When Mr. Carlisle said the instructions were drawn adroitly, he gave us credit for what we do not claim. Adroitly, he considered and ingenious; he has no superior. We have done just what is right on this particular point.

Mr. Brady answered Mr. Carlisle's argument, saying that the provocation, as we claim, was on the instant before Mr. Sickles went out, and if it had existed before that it would not detract from the influence of the last provocation, but make it the stronger and more controlling. The waving of the handkerchief was admitted—white handkerchief, Mr. Key was unfortunate in its selection. A handkerchief of that color, even among the most savage nations of the earth, is regarded as emblematical of purity, peace, good faith, of regard for hospitality, and protection against treachery. The color of the flag of truce is that which was selected in this case. I hope I may be pardoned by my learned brethren for this remark, in speaking, as I do, not in anger, but sorrow, with all the feelings which belong to me. It would have been well if Mr. Key had attached as much importance to the dignity of a banner as did his distinguished sire, and had always within him a fresh recollection of those lines which identified him with the flag of our country wherever seen on earth. If he had remembered that the star-spangled banner has been raised everywhere, in the wilds of Africa, and on the mountain height, by the adventurous traveler, he would never have chosen that foul substitute for its beautiful folds. He would never have forgotten these two lines:

"And thus be it ever when freemen shall stand
Between their loved homes and the war's desolation."

If his noble father inculcated in lines imperishable the duty of the American people to protect their homes against the invasion of a foe, how does it become the sole and solemn duty of the American citizen to protect his home against the invasion of the traitor, who, stealing into his embraces under the pretext of friendship, inflicts a deadly wound on his happiness, and aims also a blow at his honor? Now, this raises up at once before us the question of adultery and its consequences, to which my learned associate so well referred—it brings to us, with regard to the use of that handkerchief, of that foul banner which polluted the atmosphere of Washington, the suggestion of our brother STANTON, that the common law is to be enforced in this District was the common law that should be found to consist with our habits, customs, social conditions, and institutions. It recalls to our mind what he said as to adultery being a crime generally recognized on the whole face of the earth, and punished by all nations as a crime. It has never ceased to be a crime in the estimation of the jurists of England. I am furnished by a gentleman of great ability and distinction, of profound erudition, who has cast his lot among the people of this District, my friend, Judge JAMES DYER, whose name you have heard so much to-day, with whom I am happy to associate myself in this very brief abstract of the law of humanity, with respect to this offence of adultery:

First—Among the Jews, by the law of God, the adulterer or adulteress were both stoned to death.

Second—In Greece, Lycurgus decreed that adultery should be punished the same as murder.

Third—The Saxons, by their law, burned the adulteress to death, and over her ashes reared a gibbet on which the adulterer her accomplice, was hanged.

Fourth—Some of the Northern nations of Europe suspend the adulterer to a hook—*talis quisque peccavit pectine*—and left him a sharp knife, with which he was compelled to inflict self-punishment, or expend his guilty life in protracted torture.

Fifth—In England, in the reign of Alfred, the woman was shorn and stripped to the waist, driven away from her husband's house, and, in the presence of all her relations, was scourged from tything to tything, until death ensued; while the adulterer was strung up to the next tree.

Sixth—In France, under the laws of Louis the Debonair, both parties suffered capital punishment.

Seventh—Constantine inflicted capital punishment against adulterers of both sexes, and Justinian, in his reformation of the code, left the same penalty menacing male adulterers.

Eighth—In the vicissitudes of time, adulterers were condemned to be scourged and banished, or scourged and doomed to row for life in the galleys of France.

Ninth—The Spanish laws deprived the adulterer of that through which he had violated the laws of society and the sanctity of the marriage bed.

Tenth—In Portugal, the adulterer was burned to death with the adulteress; but if the husband chose to save his guilty wife from this fearful chastisement, she was set free with a fine. I feel that I am warranted, continued Mr. Brady, in saying, when considered of her extreme youth, and of the moral power which a man like Mr. Key might exercise over her, or some worse power, under the circumstances to which I will not refer—it is not wrong that, in our own hearts, and perhaps not wrong that do we deep in the heart of my friend who has prisoner at this bar, to-day, there should be some lingering remnant of hope that she had not entirely stained and sinfully destroyed herself. It was a gratifying circumstance to me to know—and I am sure none of us were other wise than pleased with that little incident of the trial—that when in his agony his attorney approached him, and, in the tenderness of his heart, endeavored to conceal the letter, he insisted on the letter being brought to him, and he pressed it to his bosom, he kissed it, and the tears fell from the portrait of his life, whose hand had traced the lines which he had penned. I am pleased to know that I have redeemed my pledge to Daniel E. Sickles, were him to understand that Whatever was

[Continued from Fifth Page.]

...of the waving of the handkerchief had been admitted without objection, and the Court had admitted it to prove the fact of adultery. For what purpose was this evidence received unless it was intended that it should be offered as a justification? If it is no justification and no excuse, what has it to do with this trial? The Court received it with reference to the state of the prisoner's mind, and to the counsel for the prosecution must be regarded it when they made no objection to the admission of evidence to prove Mr. Key's meeting, wooing, sneaking, spying round Mr. Sickles's house, stationing himself in that square in the presence of the monument (Jackson's) of one whatever one may think of his political opinions, was a gallant and brave man. That monument should have held its suspense his depraved lusts while he was standing were inspecting Mr. Sickles's house with an opera-glass. He might be permitted to say in his connection to the case of a young man, who, indecently, has come to serve the purposes of his country, made his appearance within the lines of the enemy's camp, within the territory held by the enemy, was arrested, tried and condemned to death; he begs for the privilege of a soldier's death; it was refused him, and he was hung high on a gibbet! the commanding officer—that immortal man whose name graces and gives dignity to the city in which we are assembled—refused the request, and Major Andre, in the flower of his life, suffered an ignominious death, applied to him deservedly by one of the wisest and best of mankind, because he was a spy in the camp of the enemy. Key was not a spy engaged in the bad effort to secure the freedom of his country, for which he endured death—a death, the keenest hoped, no good man would regret. The counsel then stated in detail the circumstances developed in the evidence, by which the fact of the adultery had been made known to him, and described Mr. Sickles' feelings when the truth was forced home upon him. Mr. Sickles, said he, reposed the confidence he had bestowed on Mr. Key; as a fellow-man he had been betrayed; all the emotions of his nature changed into one single impulse; every throb of his heart brought distinctly before him the great sense of his injuries; every drop of his blood carried with it a sense of his shame; the unutterable agony about the loss of his wife, an appreciation of her dishonor to come upon his child, a sentiment that the promise of his youth must be forever destroyed, that the future which had opened to him so full of assistancy, had been enshrouded perhaps in eternal gloom by one who, instead of drawing the curtain over it, should have invoked from the good God his greatest blessings on the head of his friend. He remembered how in a city where he had come to abide as the guest of the nation, in a city distinguished for its splendid hospitality, a city which for the time he had made his home, the man whom, above all others, he might have expected to cherish and sustain and protect from all, had proved to be his implacable, hypocritical, treacherous and execrable foe. With that great sense of his injuries, he spoke out on Pennsylvania avenue, and, although a man whom every one knows by your Honor knows, the jury and spectators know—is measured and steady and even in his gait at ordinary times, he paced, with all possible rapidity, down Pennsylvania-avenue—he attracts the attention of Mr. Nelson and of the Rev. Dr. Pyne, a learned and estimable gentleman, his eyes are observed—they are vacant in their stare—the expression of his countenance is all altered—each of these gentlemen perceive some great agony—some great alienation—some great change affecting his whole nature—and so he passes to his home. How do you see him there? What are the incidents of the Saturday night? In feverish unrest he paces that chamber of suffering more ferocious than the caged and starved tiger—thinking through the whole night of nothing but these reflections to which I have alluded, and which darkened the past, the present, and the future. Think how on that Sunday morning he made this exhibition to which the witnesses have referred, when he saw Mr. Key with his opera glass for inspection or for spying, with his handkerchief to make the solutions signals, and with the keys in his pocket of the house in Fifteenth street, to which he was about to take Mrs. Sickles at the moment if he could obtain her pardon. There stood Mr. Key with all the weapons of moral death around him, going to make war upon Mr. Sickles and his wife and child. He is seen by Mr. Sickles. He is seen by Mr. Sickles to pass the house and to waive his handkerchief, and Mr. Sickles exclaims, as your Honor properly permitted to be proved, that "that scoundrel has passed the window and has waved his handkerchief." Then he disappears from the view of all the witnesses until we come to the scene of the homicide. For before Mr. Sickles has passed out of that house with the full knowledge that that iniquitous salutation was given to his wife to leave her child and husband on that Sunday to go and be polluted again in that house of bad repute in Fifteenth-street. Mr. Key had been standing in front of the Club-house or in the park with his opera-glass in his hand, he saw Mr. Sickles go out and pass up the street in which his house is; at that instant Mr. Key goes round the other way to go round Lafayette-square; Mr. Sickles is now gone, and Key may be a little bolder; he may have a little less caution, and more courage than ordinarily; he is now certain of his victim; he has the handkerchief, the opera-glass, the keys, the locks waiting to receive them, the intent in his mind being excessively to employ all the intellectual of his physical and moral nature to commit the act of adultery; Mr. Sickles sees him thus, as all of us, in a contest undoubtedly think, engaged, within the meaning of law, in the act of adultery; he sees him engaged in the act, as one of a set of burglars who watches at the corner while his confederate is breaking into the safe of an unsuspecting merchant in the contemplation of law engaged in the act of committing larceny. Mr. Key, with the means of thus having the person of Mrs. Sickles in the act approaching the house of Mr. Sickles, supposing that he had entirely eluded the latter; he is eager as he thought to obtain the wife. At that moment he is met by Mr. Sickles. If that be not taking a man in the act of assault, I would like the learned counsel for the prosecution to tell me what it was. And if Mr. Sickles, having a weapon in his possession, which he had been accustomed to carry for reasons which we need not declare, with the realization of all these facts pressing down with terrific weight on his mind and heart and soul, thus meeting Mr. Key, and understanding thoroughly the vile purpose of his heart, was not to shoot him, I ask my learned brother to tell me what he was to do?

I would like to ask all assembled humanity what he was to do?—to bid him Good morning—to pass him silently by—to avert his eye? Daniel E. Sickles, a man of unblenching and unvaried courage—as if I know from the past associations of our lives—let Philip Barton Key believe that he could not only seduce his wife, but cow him! If he had done anything more or less than become a man under these circumstances, whatever may have been the intimacy of our past relations, I would have been willing to consign him to eternal ignominious death before, I would venture to raise anything in his behalf but a prayer to Heaven for the salvation which after death might come. [Applause.] He did meet him; he met him under the influence of intense provocation, provocation fresh upon him; and here, your Honor, unless I have totally misunderstood the indisputable facts in this case, this question of cooling time disappears entirely, if indeed there is any such thing as cooling time applicable to such a case. It was not thought so in the case of Bowyer, when a month intervened, and it was not thought so in the other cases, where a longer time intervened. With all deference to your Honor, and to my learned opponents, I respectfully submit that the phrase "cooling time" has no kind of application in such a case as we have here; but is confined to cases of combat, collision, affray and physical violence, between two contending beings. We know, just as well as we know that there is breath in our bodies, that it is idle to talk about cooling time in relation to the husband who knows that his wife has been seduced whom he pressed closest to his bosom, and if the laws of the land do say that there is any time in a career of twenty millions of years, when the indignation of the injured husband grows cool in relation to the adulterer of his wife, I hope I am not irreverent in saying that these laws of man are in direct hostility to the unmistakeable laws of God. In this connection, and in reference to the subject of malice, which here naturally associated itself with the question of cooling time, counsel referred to the case of the State against Will, 18 Devereux, and Battelle, 145, and argued that in view of the exclamation made by Mr. Sickles at the moment of the homicide, that the deceased had defiled his bed, the presumption of malice was all gone, and in the language of the Judge in the case referred to, "the act must be referred to the present and declared motive, the effect to its immediate cause, and not for light remote to any preconcerted purpose." He argued that there was no evidence in this case that did not necessarily preclude the belief that Mr. Sickles could have had any preconcerted motive, any malice, or any deliberate desire of revenge as against Mr. Key. He referred to the case of the State against Mann, vol. 10, Humphrey p. 630, as to the question of provocation he called his Honor's attention to the following passages from Blackstone's Commentaries, vol. 4, chap. 14: "Of which life, therefore, no man can be entitled to deprive himself or another, but in some manner, either expressly commanded in or evidently deducible from those laws which the Creator has given us, the Divine laws—I mean of "either nature or revelation." Second, in some cases homicide is justifiable rather by the permission than by the absolute command of the law, either for the advancement of public justice, which, without such indemnification, could never be carried on with proper vigor, or in such instances where it is committed for the prevention of some atrocious crime which cannot otherwise be avoided." He spoke of the well-known principle of law, that a man may be convicted of rape even on a prostitute, and that she may in resisting the aggressor take his life.

Look at Mr. Sickles and look at that poor girl; for, positively, although the mother of a child, she is a girl, accessible to the influence of a master intellect, though the sphere of its mastery be even in a region of seduction! And look at that young child, standing between its father and its mother, equally influenced by the great laws of the Creator to go toward either, and destined to leave one! No judgment of Solomon can prevail here; but, perhaps, as in the case of the rival mothers, it might be better to divide that poor child in twain, and leave one-half at the feet of each parent, than let it live from the period it has now reached. Look at that case, and say whether you may break into the sanctuary of a man's heart, rifle

[Continued from Fifth Page.]

...Bad Encouragement.—On Friday last Mrs. ... [illegible] from her residence, No. 38 Cedar-street, with a German named Simon Simon, claiming that those children were respectively eleven and twelve years, and one of his statements was cash. ...

...Mr. Sommers, with his only remaining child, a daughter aged 12, who refused to accompany her mother, was asleep in the house at the time, but the fire was extinguished without much damage. Mr. Sommers expresses himself perfectly willing that his wife should leave him—in fact, he regards it as a good riddance—but he objects to her having the custody of his children, and does not like the idea of being burnt up to gratify her fancies. He therefore lodged his grievance with the Police, who are on the lookout for the absconding Frederika and her paramour.

Contest at Trinity Church.—The Easter holidays are to be celebrated, it would appear, at Trinity Church by a battle royal among the authorities of that venerable corporation. The unusual election of vestrymen takes place to-day, and it is understood that a contest of unusual interest will be excited by an effort to throw out a number of the present members and introduce a revolution in the management of the church property.

Steam Fire-Engines.—Another steam fire-engine has just been completed by Messrs. Lee & Larsen, at the Novelty Works, which is intended for Manhattan Company, No. 6, of this City. It is said to combine all the essential improvements introduced into the engines J. C. Sharp and L. C. Carey. It is much smaller, however, and will be drawn by the firemen.

A Filibustering Editor Killed.—The Texas papers gives an account of an affray which occurred in the town of Bonham, on the 26th March, between one Matthew Baskle and Mr. John Marcus Cazneau, editor of the Bonham *Independent*. In the quarrel, Mr. Cazneau was shot and expired instantly. His career was checkered. The New Orleans *Picayune* says: "Cazneau was a native of Frankfort, Ky. Before he was 21 years of age, having heard of the revolutionary struggle in Texas, he ran away from home to join the Texans, and arrived at Galveston just after the battle at San Jacinto. He was accidentally, poisoned, found sick by a friend of the family, and taken home. He had in the meantime, lost his father and mother. Of his own accord he entered a printing office and worked hard—learning his trade by day, and studying by night by the feeble light of bits of candle that he picked up about the office. When the Crittenden expedition to Cuba was organized, Cazneau, one of its most active friends, and canvassed several of the Southern States to raise means for it. After the failure of the expedition, he returned to the printing business, and established a paper called the *Democrat*, at Boonville, Mo. In a couple of years, he sold out; removed to Tennessee; started another paper; again sold out; removed to Texas; started a paper at Galveston; again sold out; purchased the hotel at Indianola; married a niece of the Hon. Mr. Orr, of South Carolina; got tired of hotel-keeping; removed to Bonham; started the *Independent*, and was doing well, when his career was sadly and bloodily ended."

Confession of a Murderer.—The murder of the Stamford (Canada) mail-carrier, recently reported, has been confessed by one Joseph A. Armstrong, now in prison at Toronto. Armstrong says he concerted the murder with two others, John Moore and Rosier Owen. He describes the plot as follows: Owen asked me if I was a man; I answered that I was; he again asked me if I could be depended upon; I replied that I could; he then related to me what he was going to do—that the mail came along there every night about 10 or 11 o'clock in the care of one man, and it was the best strike we could make; I asked him how he was going to do it; he said, we will make the mail man get out of the wagon, or I will make him tumble out; I said how will you make him tumble? he said, it is easy; this old thing (pointing to the gun) never lies; and I said, good God, don't shoot the man; he said it was the best plan, for dead men tell no tales; Moore then said, we can spare the man's life, for there are three of us, and we must be poor men if we cannot make him give up the bags without killing him."

Fratricide.—The Louisville *Journal* tells the following horrible story:

"A shooting affair occurred in Washington County, Miss., a few days ago. Two brothers, named William and Robert Buford, were living together. William had a very pretty wife, with whom the younger brother, Robert, became madly infatuated. A criminal intercourse between the two had been carried on for some time, but growing weary of the restraint imposed by the presence of the injured husband, the younger brother determined to add to his other crime that of fratricide. On Wednesday evening of last week the outraged husband and brother was murdered, and on the Sunday following Rosser Buford, the double-murderer, committed suicide by taking strychnine. The misguided wife of the murdered man, with two children, are left the sole memorial of this chapter of horrors."

The Yacht Wanderer on her Travels Again.—The Savannah *Republican*, of the 22d April, says: "This famous vessel, whose name has spread as far and wide as that of the old *Constitution*, having been thoroughly cleaned, fumigated and painted, set sail yesterday upon a second *fete* pleasure excursion, and in search of a market. The party on board consists of Mr. Lamar, her owner, and a few friends, and they proceed directly to Havana, where she will be offered for sale. If it should be found impracticable to obtain the figure at which she is held at that port, she will tack about and set sail for New-York."

A New Sect in Europe.—A Paris correspondent writes: "A curious new sect of Christians, called Transmigrationists, have of late become very numerous in France. Quite different from the Mormons, their character is highly moral, and their creed Christian, only they include all animals in their idea of universal morality. They profess to believe that being changed after death into some animal will be their purgatory. In Germany their increase is immense."

Professor Charles Wilson, of Rochester, a well-known music-teacher, died suddenly on Friday, April 22.

Avoid Imposition.

A mixture, in bottles, bearing a title somewhat similar to CHARLES' LONDON CORDIAL GIN, has been deposited, for sale on commission, with most druggists, grocers, &c., who, to gain an exorbitant profit, in many instances urge it on customers.

Purchasers of London Cordial Gin will do well to see that it is CHARLES', the only genuine London Gin. Depôt No. 40 Broadway.

Grover & Baker's Celebrated
NOISELESS FAMILY SEWING MACHINE,
New styles. Prices from $60 to $125.
495 Broadway, New-York.
102 Fulton-st., Brooklyn.

"We have one of Grover & Baker's in our own family and we must say, in justice to the manufacturers, that it is as good as it was represented to be."—*New-York Ledger, April 9.*

Singer's Sewing Machines.
PRICE FROM $60 TO $125.
For Families, Tailors, and all manufacturing purposes, these machines are unequaled. They are more durable, capable of doing a greater variety of work, and of earning more money than any machines in the market.
The new Family Machines, at $60 and $75 are attracting universal attention.

The Spring Style of Hats for Gentlemen's Wear.—Price $3 50, and warranted superior to any offered in Broadway for $4. Call and judge for yourselves.
N. ESPENSCHEID,
Manufacturer of Gents' Hats, No. 118 Nassau-st.

To the Ladies Only.—The Victoria Bandage (or periodical protector) is now ready at the well-known Trusa Office of MARSH & CO., 2 Vesey-st., Astor House, where a lady is in constant attendance at their private saleroom; and at HEGEMAN & CO.'S, MILHAU'S, &c.

Barry's Tricopherous
is the
BEST AND CHEAPEST ARTICLE
For DRESSING, BEAUTIFYING, CLEANING, CURLING, PRESERVING and RESTORING THE HAIR. Ladies, try it. For sale by all druggists and perfumers.

Batchelor's Hair Dye, Wigs and Toupees.—The celebrated establishment at No. 233 Broadway. Twelve private rooms for the application of his famous Hair Dye, the best extant. BATCHELOR'S Wigs and Toupees have improvements over all; this is the only place where these are properly understood and made.

Wheeler & Wilson's Sewing Machines.
PRICES GREATLY REDUCED.
They are the favorites for families.—*New-York Times.* We prefer them for family use.—*New-York Tribune.*
Office, No. 505 Broadway, New-York.

French Clocks,
BRONZES, MECHANICAL LAMPS, &c.
SOLD AT REDUCED PRICES.
On account of removing to No. 633 Broadway.
H. DARDONVILLE, No. 445 Broadway.

Looking-Glasses,
PICTURES AND FRAMES,
GOOD AND CHEAP, AT
M. P. WHITLOCK'S,
No. 366 CANAL, OPPOSITE WOOSTER-ST.

Wood's New Style $50 Family Sewing Machine.—The particular attention of Skirt Manufacturers is called to this improvement.
WHITNEY & LYON, No. 417 Broadway.

Geo. Saunders' Metallic Tablet Razor Strop.—This indelible article may be obtained of the sole manufacturer, G. A. SAUNDERS, No. 7 Astor House, and of the various agents throughout the City.

Wigs $5.—CAMERON'S, No. 180 Fulton-st., Brooklyn. For quality and natural appearance we challenge the world. A large assortment of ladies' hair work at equally low prices, wholesale and retail.

French Gas Fixtures.
Reduction in prices. The subscriber, previous to removing to No. 633 Broadway, offers his stock at a liberal discount. H. DARDONVILLE, No. 445 Broadway.

Mixture of Bottles of Mrs. Winslow's Soothing Syrup are now used every year in the United States for Children Teething, with never-failing success. Relief is immediate and certain. Price 25 cents.

Hunting's Patent Champion Fire and Burglar Proof Safes.
Unrivalled for Bank Checks and Vaults, Vault Doors, and Money Boxes or Chests, for bankers, jewelers, and merchants. Saddlers' for ships, steamers, and other vessels.
M. and S. Hunting & Co.,
No. 108 Broadway, corner of Liberty-st.
Depository Office, Hall, Fifth Ward.

Executors'
Will you help, or will you allow of measures tending, or unwholesome food, or colds, or premature, or all combined, have produced an unhealthy condition of body,
BRANDRETH'S PILLS,
judiciously used in time, will remove them and purify the blood. This blessed medicine will cleanse us from our infantile malady and physically. Are there not millions of sufferers who have labored under disadvantage? Inquire!
Sold at 25 cents a box, with full directions, at No. 294 Canal-st., and by all druggists.

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The original and only genuine preparation of this name, manufactured by Messrs. JOSEPH BURNETT & CO., Boston, for sale by T. T. QUEEN, No. 205 Broadway.

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Nos. 108 and 110
FULTON-ST.,
BOY'S SPRING CLOTHING,
NEW PANTS AND AMERICAN
STYLES.
Largest stock, greatest variety and
LOWEST PRICES
in the market.
NO DEVIATION
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article.

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WILSON PATENT
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These Safes are free from dampness. They have been in use for 17 years—have been tested in 200 accidental fires, and have never failed.
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WARRANTED FREE FROM DAMPNESS.
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Corner of Dey-st., New-York.

Everybody!—Castrelli has a valuable stock of ladies' gaiters, gentlemen's elegant promenade boots, and boots and shoes for the young, which he is prepared to sell at marvelously low prices. Who does this interest? Why, everybody—for the "covering of the feet" is a subject of importance to all of us. Then if you require anything in his line, visit his establishment, No. 619 Broadway, between 18th and 19th sts.

Lubin's Extracts for Flavoring.—Housekeepers will find these extracts the cheapest and best mode of imparting the natural flavor of the fruit to all kinds of pastry, cakes, puddings, jellies, ice creams, &c. Sold by grocers and druggists, and by the proprietors,
HALL, RUCKEL & CO., Wholesale Druggists,
No. 218 Greenwich-st.

Phelan's Champion Hat.—Connecting Nassau-st. now in the Astor House, at WHITE'S, No. 216 Broadway, under Barnum's. A sample can be seen at Mr. Phelan's billiard rooms, corner Broadway and 26th-st.; also at O'Connor & Callender's, No. 63 Ann-st., the champion billiard table makers, and at WHITE'S, the champion hatter, No. 216 Broadway, under the Museum.

Hall's Hair Dye, 50 cents a Box, Black or Brown, warranted. Depôt No. 1 Barclay-st. Also, 464 at No. 205 Broadway and all druggists. Infallible Orgeat for the growth and beauty of the hair. Florida for the same.

Paris Soft Hats.—A choice supply received by late steamer, made expressly to order for our retail sale.
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Ruptures Cured.—By MARSH & CO.'S Radical Cure Truss. Also, Silk Elastic Stockings for varicose veins, supporters and shoulder-braces. Instruments for deformities made to order. No. 2 Vesey-st., Astor House, New-York. Ladies' private rooms and female attendant.

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GLASS SHADES of all sizes, for covering clocks, flowers, &c. &c. &c., constantly on hand and made to order. Depôt No. 195 William-st., corner Ann-st.

Hatters' Plush and Trimmings.
Of every variety and EXCLUSIVE STYLES, imported and for sale low, for CASH OR APPROVED PAPER, by
ROBERTS & GATHELL, No. 113 Broadway.

MARRIED.

Schermerhorn—Gibney.—In this City, on Monday, April 18, at the Church of the Holy Communion, by the Rev. Dr. Muhlenberg, assisted by the Rev. F. L. Lawrence, George S. Schermerhorn, jr., to Julia Maria Dales, youngest daughter of the late Wm. M. Gibney.

Wisner—Schreiber.—On Wednesday evening, April 20, by the Rev. Wm. Wisner, D. D., of Baltimore, the Rev. Sam. P. Wisner, of the same place, to Miss Jane Schreiber, daughter of the late U. S. Scribner, of this City.

DIED.

Sayre.—In this City, on Monday, April 25, after a long and lingering illness, which she bore with Christian fortitude and resignation, Carrie Gilman, youngest daughter of Nathan and Sarah Sayre, aged 23 years, 4 months and 1 day.

Her friends and acquaintances and those of the family, and of her brother Zenas H. Sayre, and her mother-in-law, R. S. Butcher, are invited to attend her funeral, from the residence of her parents, No. 24 4th-st., on Wednesday, the 27th inst., at 2 o'clock P. M. Her remains will be taken to Greenwood.

Hull.—In this City, on Monday evening, April 25, at his residence, A. Gerald Hull, M. D., in the 49th year of his age.

Tredwell.—In this City, on Saturday, April 23, Benjamin M. Tredwell, aged 54 years.

The relatives and friends of the family are invited to attend his funeral, from St. Paul's Church, on Wednesday next, at 10½ o'clock A. M.

Yates.—In this City, Frank Augustus, second son of Walker A. and Catherine A. Yates, aged 4 years, 9 months and 15 days.

The friends and relatives of the family are respectfully invited to attend his funeral, this (Tuesday) afternoon, April 26, from the residence of his parents, No. 663 Houston-st.

Phelps.—In this City, on Sunday, April 24, Olivia Phelps, widow of the late Anson G. Phelps, Sr., in the 76th year of her age.

The funeral services will take place at the Murcer-st. Presbyterian Church, on Wednesday afternoon, at 4 o'clock. The friends of the family are respectfully invited to attend, without further notice.

Bedford.—In this City, on Sunday, April 24, Augustus Bedford, aged 45 years.

Relatives and friends of the family are respectfully invited to attend the funeral, from the Dutch Reformed Church, corner of Siecoker and West 10th (Amos) sts., on Tuesday, April 26, at 2 o'clock, without further invitation.

☞ Dutchess and Rockland County papers please copy.

Bunker.—In Brooklyn, on First day, 4th month, 24th, of scarlet fever, Robert A., son of Alexander C. and Mary P. Bunker, aged 13 years.

The funeral will take place on Third day, the 26th inst., from Friends Meeting-house, Schermerhorn-st., Brooklyn, at 4 o'clock P. M.

Valentine.—In Roslyn, L. I., suddenly, Phebe, wife of Wm. Valentine, aged 66 years.

The friends and relatives of the family are invited to attend her funeral, this day, (Tuesday,) at 12 o'clock, at Friends Meeting house, Westbury, L. I.

Kenyon.—At Tarrytown, on Sunday, April 24, Elizabeth, wife of John A. Kenyon, in the 30th year of her age.

The relatives and friends of the family are respectfully invited to attend her funeral, at the First Reformed Dutch Church, at Tarrytown, on Wednesday, 27th inst., at 2 o'clock P. M., without further invitation. Carriages will be in waiting at the depôt, on the arrival of the 11 o'clock train from New-York.

Smith.—At Yonkers, on Monday morning, April 24, Fitch James Schuyler, infant son of James B. and Margaret M. Smith, aged 3 months and 24 days.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of its parents, Warburton av., Yonkers, on Wednesday morning next, at ½ o'clock. Remains will be taken to Greenwood for interment.

Stiles.—At Argyle, Washington Co., N. Y., on Wednesday, April 20, Rawson Stiles, Esq., aged 66 years.

Bacon.—At Westdale, N. J., on Saturday, April 23, Abijah Hazen, aged 81 years and 7 months.

His fate, he and relatives, and those of his son-in-law, Robert M. Johnston, are invited to attend his funeral, this day, (Tuesday,) April 26, at 11 o'clock A. M., from the Allen-st. Presbyterian Church, without further invitation.

BOWERY CLOTHING EMPORIUM.
ESTABLISHED 1837.
W. L. CONKLIN & CO.,
NO. 8 BOWERY,
With to call the attention of the public to their assortment of MEN'S AND BOYS' CLOTHING!
SPRING OVERCOATS! BUSINESS SUITS!
A large assortment of SPRING OVERCOATS AT VERY LOW PRICES, Ranging from $6 upward.
Fancy Cassimere Pants and Vests in proportion.
GOODS MADE TO ORDER IN THE MOST FASHIONABLE STYLE, at short notice, and upon economical terms. DON'T FORGET—No. 8 BOWERY.

BUILDERS' HARDWARE.
A full assortment of
LOCKS, KNOBS and HINGES,
Wholesale and Retail,
at low prices.
MANY, BALDWIN & MANY,
No. 49 John-st.,
Corner Dutch, New-York.

DR. McCLINTOCK'S COLD AND COUGH Mixture never fails, never disappoints. Price 25 cents. Purchase none without the signature of GERRIT NOSTOP, (successor to a Cushman & Co.) Depôt No. 4 Fletcher-st. Sold by Druggists.

A PROFESSIONAL GENTLEMAN WANTS the first floor of a well-arranged house, furnished or unfurnished in a genteel neighborhood, between 8th and 16th sts., near Broadway. Would prefer to furnish a genteel board in the family, if agreeable; would also prefer a house on the north side of the street. Address, for two days, HUNTER, M. D., Union-square Post-office.

REMOVAL.—DEFIANCE SALAMANDER SAFE depôt removed from No. 192 Pearl to No. 67 Murray-st., corner College-place. ROBERT M. PATRICK.

CONTENTS OF THIS DAY'S LEDGER.

I. A new and interesting Tale, entitled, THE GOLDEN PLOT; Or, The Fortune of Fifteen. A story of Absent Days. By SYLVANUS COBB, Jr.

II. Another installment of Mrs. SOUTHWORTH'S charming novelette, THE HIDDEN HAND.

III. THE MOUNT VERNON PAPERS. Subject—THE FINANCIAL DISTRESS OF 1837. By Hon. EDWARD EVERETT.

IV. THE COLONY OF NEW PLYMOUTH PAPERS. Subject—THE ROAD TO BOSTON. By L. E., a descendant of Anne Bradstreet.

V. THOUGHTS AS THEY OCCUR. Subject—OUR FIRST FISHING. By "One who Keeps his Eyes and Ears Open."

VI. IDEAL AND REAL. A humorous Poem. By JOHN G. SAXE.

VII. PERILS OF THE WILDERNESS. By EMERSON BENNETT.

VIII. FAITH AND WORKS. A Poem. By ALICE CARY.

IX. CONGENIALITY. A Sketch. By ANNA COSA RITCHIE.

X. A FAREWELL. A Poem. By GEO. D. PRENTICE.

XI. AN INCIDENT OF THE MOHAWK VALLEY. By DR. S. COMPTON SMITH.

XII. THE NOBLE FARMER. By MRS. L. H. SIGOURNEY.

XIII. WIT AND HUMOR. By GEO. D. PRENTICE.

XIV. THE CITY OF THE PLAIN. By THOMAS DUNN ENGLISH.

XV. DARBY'S REFORM. A Sketch. By SYLVANUS COBB, Jr.

XVI. A BUFFALO HUNT.

XVII. THE RELIEF OF VIENNA.

XVIII. ANSWERS TO CORRESPONDENTS.

XIX. EDITORIALS AND ESSAYS.

XX. &c., &c., &c., &c., &c., &c., &c., &c., &c.

N. B.—Mr. BONNER has the pleasure of announcing that CHARLES DICKENS, who is universally conceded to be the most popular author living, has been engaged to write a Tale expressly for the columns of the LEDGER, and that he is now at work upon it. Advance sheets of Mr. DICKENS' stories have, at different times been obtained by American publishers; but this is the first time that a Tale has been written expressly and solely for an American periodical by such an eminent European author as Mr. DICKENS; and yet Mr. BONNER would not have the public suppose that he thinks there is anything very remarkable about this engagement; it is only part and parcel of his policy.

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ROBERT BONNER, Publisher,
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OUT THIS MORNING!
THE NEW-YORK MERCURY,
(FOR MAY 7,)
With No. 2
of
BAYARD TAYLOR'S
STRAY CHAPTERS OF LIFE AND TRAVEL,
ENTITLED
"A NIGHT WALK."

The NEW-YORK MERCURY, for April 30, containing No. 1 of BAYARD TAYLOR'S new Travel-sketches, can be had at all the *News*-rooms.

A GREAT SPRING MEDICINE.
RHEUMATISM, SCROFULA, SALT RHEUM, &c.
HYATT'S LIFE BALSAM is the most certain and safe remedy for the most painful and protracted forms of these diseases; also, old ulcers, fever sores, erysipelas, the worst cases of impurity of the blood, liver and kidneys, general debility, dyspepsia, incipient consumption, piles, &c. Principal depôt No. 246 Grand-st. 75 cents per bottle.

NEW BOOKS!
A GUIDE TO THE CENTRAL PARK.—Containing a history and description of the Park, its improvements to this date, and its commissioners, with names and residences, list of officers and foremen, with directions as to visitors as to the principal points of interest, and how to see them, with a fine map of the Park. By an officer of the Park. Price 25 cents. For sale by BOOS & TOUSEY, PEASE & CO., and the trade.

D. APPLETON & CO., 346 and 348 Broadway, have in press, to be issued in the course of next week,
I. THE LIFE OF JAMES WATT, with Selections from his Correspondence. By James Patrick Muirhead, M. A. 1 vol. 12mo.
II. NAPOLEONIC IDEAS. By Napoleon Louis Bonaparte. Translated from the French, by James A. Dona. 1 vol. 12mo.
III. THE GREEK NEW TESTAMENT. Revised and Edited by Cardinal Mai. Reprinted from the last Venetian Edition.
IV. FIJI AND THE FIJIANS. By Thomas Williams. 2 vols. 12mo.
V. PAUL MORPHY'S TRAVELS AND TRIUMPHS IN EUROPE.
VI. CYRUS REDDING'S LIFE OF CAMPBELL.
VII. MEMOIRS OF CATHARINE OF RUSSIA.
VIII. WAITE'S HISTORY OF FRANCE.
IX. RAWLINSON'S HERODOTUS.
X. PHYSIOLOGY OF COMMON LIFE. By G. H. Lewes.
XI. PRAIRIE FARMING IN AMERICA. By Flint.
XII. BUCKLE'S HISTORY OF CIVILIZATION IN ENGLAND. Vol. II.
XIII. MARY LOCKE'S EDITION OF SHAKESPEARE.
XIV. QUACKENBOS' PHILOSOPHY FOR THE USE OF SCHOOLS.
XV. A MANUAL OF NAVAL TACTICS. By Capt. Ward, U. S. N.
XVI. ERE THE TRUMPET; Or, Heads and Tales for the Time and Leisure.
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Nos. 488, 490 and 492 Broadway, corner of Broome-st.,
STEAM-FITTERS, GAS-FITTERS AND PLUMBERS,
BUILDERS OF GAS WORKS,
Hotels, Steamboats, Stores, Public Buildings and Private dwellings fitted throughout in a workmanlike manner, and on reasonable terms.
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Also, Engineers, Manufacturers and Dealers in
CHANDELIERS AND GAS FIXTURES,
China, Glass, Bronzes, Clocks, Cutlery, Silver and Plated Ware, and
GENERAL HOUSE-FURNISHING GOODS.

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IN
FRENCH CHINA, ENGLISH CHINA,
STONE CHINA, SILVER-PLATED WARE,
GAS-FIXTURES, &c., &c.
We offer an immense variety of the above-mentioned goods, and solicit the attention of
CLOSE BUYERS
to the same.
W. J. F. DALEY & CO.,
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DE VENOGE & CO., EPERNAY, FRANCE.
As used at the
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E. V. HAUGHWOUT, Importer,
Corner of Broadway and Broome-street.

MARAVILLA. MARAVILLA.
MARAVILLA.
To everybody afflicted with BALDNESS.
To everybody troubled with DANDRUFF.
To everybody annoyed by their Hair falling out.
To everybody suffering from HEAD HEADACHES.
A remedy at last discovered.
MARAVILLA. MARAVILLA. MARAVILLA.
The proprietors of this justly celebrated preparation beg to offer the Maravilla to the publicas a certain remedy for the above. They do not feel it their duty to descend to the usual practice of resorting to puffing and humbug, but to benefit the sufferers and to guard them against imposition by home-principled testimonials; suffice it to say, the Maravilla will bring back the Hair when apparently entirely gone; and if used as directed,
WILL PRODUCE GLOSSY CURLS,
And preserve to the
AVE NATURAL COLOR.
Though one live to the age of three-score and ten.
Sold by all respectable Druggists and Fancy Goods Dealers, and by the Proprietors,
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Price, 50 cents. No. 13 Cedar-st., New-York.

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Two Days,
WEDNESDAY, THURSDAY and FRIDAY AFTERNOONS,
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The Rev. Prof. Owen Lovejoy's Library—Comprising a great variety of valuable books, in every department of literature, Exegetical and Classical books, the result of many years' collecting, and peculiarly rich in the department of Biblical Theology. Also, a collection of choice works in general literature, &c. Catalogues are now ready.

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PURE WINE,
FROM CROTON POINT,
FOR SALE
AT THE WINE AND GRAPE DEPOT,
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Also, for sale as above,
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GRAPE VINES.

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Received by the steamers *Fulton, Europa* and *City of Manchester*.
New STEREOSCOPIC SLIDES, French and English subjects, just received, and for sale at wholesale and retail by
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Nos. 346 and 348 Broadway.
A Catalogue of Views, with a description of the Stereoscope, and Engravings of the different Styles of Stereoscopes, sent by mail to any address on application, inclosing postage stamp.

ENGLISH CARPETS.
NEW STORE—NEW GOODS—LOW PRICES.
ENGLISH TAPESTRY, 1s to 6d.
INGRAINED 3-PLY, 50c. to 6d.
3-PLYS AND INGRAINS, 38c. to $1.
OIL-CLOTHS, 2s. 6d.
CANTON MATTING at low prices.
Crossley's yard-wide English Tapestries now patterns.
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Near Cooper Institute.

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NOTICE.
ON THE ENLARGEMENT OF THE KEROSENE WORKS by which we are placed, we give notice that ALL orders from the TRADE will be filled promptly at reduced tariff prices.
NEW-YORK KEROSENE OIL COMPANY,
No. 80 Beaver-st., New-York.

ROUND HILL WATER-CURE AND HOTEL, NORTHAMPTON, MASS.—S. HALSTED, M. D., proprietor and principal physician. Dr. H.'s success in the cure of Women's diseases is well known. He discards the use of caustic, with its poisonous effects, and all supports. His system of Motopathy is based on philosophic principles. It gives vitality and force to the functional powers of all the organs, and has been tested in the treatment of five thousand cases in riding and hospital practice. The cure is speedy and reliable. Those brought on beds, even, are soon enabled to walk. Over four hundred cases of spinal diseases, paralysis, and loss of use of limbs, have been restored by this new but improvement in these cases, and in most chronic complaints, is far more rapid in the cool months. Circulars sent gratis. Treatise on Motopathy, 25 cents.
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From the St. Louis Republican.
Round Hill is one of the most charming watering places in the country—full of allurement to the seeker of pleasure, but less than to those who seek the boon of health. Its Summer resort surpasses it in loveliness, and in all the resources calculated to gratify the tastes and promote the comfort of visitors

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CUMBERLAND COAL.

The Cumberland Coal and Iron Company is prepared with unsurpassed facilities to supply the trade with the celebrated Cumberland coal, mined exclusively by this company, and known as the best coal for domestic purposes.

Orders may be addressed at the office of the company, No. 45 Broadway, Room No. 4, or at the mines, Cumberland, Md.

FOR SALE—A FIRST-CLASS FURNISHED BOARDING-HOUSE, containing 20 rooms, with all modern improvements; situated in a pleasant locality; rent reasonable. Apply at 27 Fulton-st., Brooklyn

LEGAL NOTICES.

SUPREME COURT—DUTCHESS COUNTY.

STATE OF NEW-YORK, } ss.
COUNTY OF DUTCHESS, }

I, JOHN D. WELLS, Administrator, and BETSEY WELLS, Administratrix of the estate of DAVID WELLS, deceased, late of the town of Clinton, in the county of Dutchess, do hereby give notice to all persons having claims against the estate of said deceased, that they are required to present the same, with the vouchers thereof, to the subscribers, at the office of Wm. H. Morris, in the village of Rhinebeck, in said county, within twenty days after the service of this notice on them, if served within this county, and within thirty days after such service if served without this county; and that I will apply to the Surrogate of said county, at the Surrogate's office in said city, within twenty days after the service of this notice, for the examination and allowance of the accounts of my administration of the estate of said deceased.

Dated Rhinebeck, April 1st, 1859.

JOHN D. WELLS, Administrator.
BETSEY WELLS, Administratrix.

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Dated Rhinebeck, April 1st, 1859.

JOHN D. WELLS, Administrator.
BETSEY WELLS, Administratrix.

SURROGATE'S COURT—QUEENS COUNTY.

STATE OF NEW-YORK, } ss.
COUNTY OF QUEENS, }

I, JOHN D. WELLS, Administrator, and BETSEY WELLS, Administratrix of the estate of DAVID WELLS, deceased, late of the town of Clinton, in the county of Dutchess, do hereby give notice to all persons having claims against the estate of said deceased, that they are required to present the same, with the vouchers thereof, to the subscribers, at the office of Wm. H. Morris, in the village of Rhinebeck, in said county, within twenty days after the service of this notice on them, if served within this county, and within thirty days after such service if served without this county; and that I will apply to the Surrogate of said county, at the Surrogate's office in said city, within twenty days after the service of this notice, for the examination and allowance of the accounts of my administration of the estate of said deceased.

Dated Rhinebeck, April 1st, 1859.

JOHN D. WELLS, Administrator.
BETSEY WELLS, Administratrix.

SURROGATE'S COURT—ORANGE COUNTY.

STATE OF NEW-YORK, } ss.
COUNTY OF ORANGE, }

I, JOHN D. WELLS, Administrator, and BETSEY WELLS, Administratrix of the estate of DAVID WELLS, deceased, late of the town of Clinton, in the county of Dutchess, do hereby give notice to all persons having claims against the estate of said deceased, that they are required to present the same, with the vouchers thereof, to the subscribers, at the office of Wm. H. Morris, in the village of Rhinebeck, in said county, within twenty days after the service of this notice on them, if served within this county, and within thirty days after such service if served without this county; and that I will apply to the Surrogate of said county, at the Surrogate's office in said city, within twenty days after the service of this notice, for the examination and allowance of the accounts of my administration of the estate of said deceased.

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Dated New-York, the 1st day of May, 1859.

GEORGE C. GENET, Administrator

NEWS BY THE ST. LOUIS.

[Continued from First Page.]

at Carthagena, after leaving Aspinwall on the 10th of April.

No matters of interest have transpired in Panama the publication days. A dinner was given to Monsieur Bossan, on his retiring from the French Consulate, to take that of Vera Cruz, but then it is well-known that a dinner can be got up at Panama on the slightest provocation.

An extra session of the Legislature of the State of Panama, will assemble on the 25th, to devise ways to raise money to keep the wheels of Government in motion.

The prompt settlement of the questions with Paraguay has disappointed the Anti-American sentiment on the Isthmus, which hoped for a disgraceful, if only temporary defeat, of American pretensions in that region.

SAM RUNNELS, Esq., for ten years past a resident of Panama, appointed U. S. Consul to San Juan del Sur, in place of John Parker, removed, came passenger on the St. Louis, and went forward yesterday on the Columbus. He had dispatches for Gen. LAMAR, supposed to have reference to the seizure of the White Hawk in the San Juan river.

RICHARD GARNER, Esq., lately appointed U. S. Consul to Manzanilla, went out yesterday, on the *John L. Stephens*. The *John L. Stephens* has the respectable complement of 1,350 passengers, and left with them early on a Saturday.

The *Golden Age* arrived at Panama quite unexpectedly, last evening, with 650 passengers, having made the run, touching at Manzanilla and Acapulco, in 11 days and five hours. She made as high as 287 knots in 24 hours.

The opposition steamer *Uncle Sam* left San Francisco, full of passengers, the same day as the *Age*, but is not due for two days yet. The *Northern Light's* passengers are expected on Monday at Acapulco. The Sonthern Cross is at Realejo.

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The Constitutional Convention assembled last night, having carried, including those by the *Northern Light* and less than 4,000 persons at $25 each, besides hay, provisions, probably, $80,000 more for British passengers, mails, gold, freight, &c.

The flag-ship *Merrimack*, the *Saranac* and St. Mary's of the Pacific Squadron are at Panama. It was intended that the latter vessel should go to Realejo, but a matter involving naval discipline will probably detain her some considerable time yet at Panama. The *Vandalia* is daily expected at Panama from Realejo. The *Cyane* is at Realejo.

The flag-ship of the Home Squadron, the *Roanoke*, the *Jamestown* and the supply-ship *Relief* are at Aspinwall.

The British mail steamer from San Juan del Norte *is not due at Aspinwall for a day or two yet, so that* I can send you nothing from that point. F. W. R.

CENTRAL AMERICA.

Attempted Insurrection in Salvador—The Nicaraguan Treaties—Defeat of the Belly Contract Confirmed.

From Our Own Correspondent.

ASPINWALL, Sunday, April 17, 1860.

The Panama Railroad Company's steamship *Columbia*, Capt. LUDWIG, arrived in this Bay from Central American ports on the 6th inst. Her cargo consists of 1,775 serooms indigo, 245 serooms cochineal, 1,501 bags Costa Rica coffee, 85 sacks rice, 4,460 hides, 25 bales deer skins, 171 sacks sugar, 34 cases balsam.

The *Columbia* brings dates from Guatemala to March 27, Salvador to the 30th; Realejo, Nicaragua, to April 1; and Punta Arenas de Costa Rica to April 3. The news is of but little importance; the confirmation of the news of the ratification of the Cass-Yrissari Treaty being the principal item.

SALVADOR.

On the 4th of March an attempt at insurrection of the soldiers and musicians in the *cuartel* of San Salvador, *with the intention to assassinate the Commandante* BARRIENTOS, was made, but was defeated *by the Commandante and the soldiers who remained* faithful to him. The insurrectionists freed some fifty *prisoners in the cuartel*, who they expected to join them. Two or three of the rebels were killed and several badly wounded. The next day four of the conspirators were shot.

The political programme of *Gen. BARRIOS* in Salvador has been successful, and resulted as I told you it would some weeks since. BARRIOS first got up charges against President SANTIN, who resigned his office in disgust to JOAQUIN E. GUZMAN, Vice-President, and father-in-law of BARRIOS. GUZMAN, in turn, delivers the office of President over to BARRIOS, who assumed it on the 11th March, by virtue of his position as oldest Senator. Now this matter is fixed, it is probable internal peace will reign for a while.

NICARAGUA.

J. ROSA PEREZ arrived in the *Columbus* with a copy of the CASS-YRISSARI treaty, a copy of which I wrote you was brought by way of San Juan del Norte on the 2d inst., and went to New-York by the *Star of the West*. The treaty with Sir. WM. GORE OUSELEY has also been confirmed, as I wrote you it had a month or more since. Sardinia has also made a treaty with Nicaragua, the terms of which are said to be similar to the British one. The postal treaty, which I wrote you six weeks since had been concluded between Great Britain and Nicaragua, to last one year, provides that the postage on letters between the two countries shall be sixpence, and inland Nicaragua postage on British letters two cents.

An amnesty has been granted to all political offenders, including Padre VIJIL, WALKER's Minister to Washington. The Padre was lately officiating as priest to a small community in New-Granada, near Carthagena, but is now in Nicaragua. A better feeling is growing up towards foreigners on the part of the Government; immigration is invited, in order that the resources of the country may be developed.

Mention is made of the alarm caused by the late visit of the Dexter at San Juan del Sur, of which I wrote you in my last.

The Minister of Finance reports a deficiency of $70,000 for expenses of the fiscal year of 1859-'60.

I sent you by previous steamer a copy of the decree declaring the transit free to all.

This mail also confirms the news sent you that the daily contract had been defeated in the Senate, on account of the large tracts of land granted. BELLY has lost two of his men from fever. Several of the others are discontented, and a general break-up is soon looked for. Since the French Government has discarded BELLY's canal scheme, and BARING Brothers have declared it must prove a failure, BELLY's followers do not seem so sanguine as they were.

COSTA RICA.

The coffee crop is nearly double the crop of last year. It will amount to 140,000 quintals of excellent quality. A great portion of it has already been taken away by the European traders.

The sickness at Punta Arenas had entirely disappeared.

Sir WILLIAM GORE OUSELEY was at San José, giving dinners to the officials and negotiating quietly with the Government. O'GORMAN MAHON, the gassy Irishman, and Prince POLIGNAC, one of BELLY's followers, were also at San José. President MORA talks of going to Rivas to help M. BELLY inaugurate his canal scheme—but I predict he will see through the cheat before the time for "laying the corner stone" arrives.

The election for President will take place in Costa Rica on the 7th May. President MORA will, undoubtedly, be elected, as he deserves to be. F. W. R.

The Isthmus of Panama.

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I learn that our Government are sending to this place a large supply of coal and provisions, but for what object has not yet transpired. Something is brewing.

It is understood here that the Flag-ship *Roanoke* will leave here for San Juan del Norte, immediately after the arrival of the *Northern Light*, which was to have left New-York on the 11th instant. She will be due on Wednesday next. The *Roanoke* will only be absent a few days. During her absence the *James-town* will remain here for our protection.

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The *Columbia* brings dates from Guatemala to March 27, Salvador to the 30th; Realejo, Nicaragua, to April 1; and Punta Arenas de Costa Rica to April 3. The news is of but little importance; the confirmation of the news of the ratification of the Cass-Yrissari Treaty being the principal item.

SALVADOR.

On the 4th of March an attempt at insurrection of the soldiers and musicians in the *cuartel* of San Salvador, *with the intention to assassinate the Commandante* BARRIENTOS, was made, but was defeated *by the Commandante and the soldiers who remained* faithful to him. The insurrectionists freed some fifty *prisoners in the cuartel*, who they expected to join them. Two or three of the rebels were killed and several badly wounded. The next day four of the conspirators were shot.

The political programme of *Gen. BARRIOS* in Salvador has been successful, and resulted as I told you it would some weeks since. BARRIOS first got up charges against President SANTIN, who resigned his office in disgust to JOAQUIN E. GUZMAN, Vice-President, and father-in-law of BARRIOS. GUZMAN, in turn, delivers the office of President over to BARRIOS, who assumed it on the 11th March, by virtue of his position as oldest Senator. Now this matter is fixed, it is probable internal peace will reign for a while.

NICARAGUA.

J. ROSA PEREZ arrived in the *Columbus* with a copy of the CASS-YRISSARI treaty, a copy of which I wrote you was brought by way of San Juan del Norte on the 2d inst., and went to New-York by the *Star of the West*. The treaty with Sir. WM. GORE OUSELEY has also been confirmed, as I wrote you it had a month or more since. Sardinia has also made a treaty with Nicaragua, the terms of which are said to be similar to the British one. The postal treaty, which I wrote you six weeks since had been concluded between Great Britain and Nicaragua, to last one year, provides that the postage on letters between the two countries shall be sixpence, and inland Nicaragua postage on British letters two cents.

An amnesty has been granted to all political offenders, including Padre VIJIL, WALKER's Minister to Washington. The Padre was lately officiating as priest to a small community in New-Granada, near Carthagena, but is now in Nicaragua. A better feeling is growing up towards foreigners on the part of the Government; immigration is invited, in order that the resources of the country may be developed.

Mention is made of the alarm caused by the late visit of the Dexter at San Juan del Sur, of which I wrote you in my last.

The Minister of Finance reports a deficiency of $70,000 for expenses of the fiscal year of 1859-'60.

I sent you by previous steamer a copy of the decree declaring the transit free to all.

This mail also confirms the news sent you that the daily contract had been defeated in the Senate, on account of the large tracts of land granted. BELLY has lost two of his men from fever. Several of the others are discontented, and a general break-up is soon looked for. Since the French Government has discarded BELLY's canal scheme, and BARING Brothers have declared it must prove a failure, BELLY's followers do not seem so sanguine as they were.

COSTA RICA.

The coffee crop is nearly double the crop of last year. It will amount to 140,000 quintals of excellent quality. A great portion of it has already been taken away by the European traders.

The sickness at Punta Arenas had entirely disappeared.

Sir WILLIAM GORE OUSELEY was at San José, giving dinners to the officials and negotiating quietly with the Government. O'GORMAN MAHON, the gassy Irishman, and Prince POLIGNAC, one of BELLY's followers, were also at San José. President MORA talks of going to Rivas to help M. BELLY inaugurate his canal scheme—but I predict he will see through the cheat before the time for "laying the corner stone" arrives.

The election for President will take place in Costa Rica on the 7th May. President MORA will, undoubtedly, be elected, as he deserves to be. F. W. R.

The Isthmus of Panama.

SAM RUNNELS NOT NAMED CONSUL TO SAN JUAN—MARITIME MOVEMENTS.

From Our Own Correspondent.

ASPINWALL, Sunday, April 17, 1859.

It is not true, as stated in the *Herald*, that SAM RUNNELS, appointed Consul at San Juan del Sur, brought out important dispatches for the Commander-in-Chief of our Home Squadron respecting Central American affairs. I was present when RUNNELS told Flag officer MCCLUNEY that he only had dispatches for Gen. LAMAR. I presume RUNNELS will go up the coast in one of our war vessels to Realejo, and also port.

Since my last letter, the *Jamestown*, Commander KENNEDY, has arrived from San Juan del Norte for the purpose of getting provisions and stores, and water. Upon her arrival the *Roanoke* got under way and went up to Porto Bello for water. She was absent only three days, and upon her return the *Jamestown* repaired thither, and returned here after being absent about the same period. The water at Porto Bello is pure and sweet, from the mountain-top, and runs about 1,000 gallons per hour, and the largest vessels can lay within 50 feet of the shore.

I learn that our Government are sending to this place a large supply of coal and provisions, but for what object has not yet transpired. Something is brewing.

It is understood here that the Flag-ship *Roanoke* will leave here for San Juan del Norte, immediately after the arrival of the *Northern Light*, which was to have left New-York on the 11th instant. She will be due on Wednesday next. The *Roanoke* will only be absent a few days. During her absence the *James-town* will remain here for our protection.

Fleet-Surgeon CHASE and Third Assistant-Engineer BAILEY, have reported for duty on board the Flag-ship.

DOMINICK SMITH, musician, on board the *Roanoke*, died on the 14th inst., and was buried on shore at Monkey Hill Cemetery. The *Roanoke* and *Jamestown* are very healthy; and both vessels in splendid condition for effective service.

Flag-Officer MCCLUNEY and Captain GARDNER intended the *Jamestown* yesterday.

Yours, very truly.